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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

9 CORNEL JACKSON,  
10 Plaintiff  
11 v.  
12 POUGE, *et al.*,  
13 Defendant

Case No. 1:24-cv-01027-BAM (PC)

**ORDER GRANTING MOTION TO  
PROCEED *IN FORMA PAUPERIS***

**ORDER DIRECTING PAYMENT OF  
INMATE FILING FEE BY MADERA  
COUNTY JAIL**

15 Plaintiff Cornel Jackson (“Plaintiff”) is a county jail inmate proceeding *pro se* in this civil  
16 rights action under 42 U.S.C. § 1983.

17 On September 18, 2024, Plaintiff filed a motion to proceed *in forma pauperis* pursuant to  
18 28 U.S.C. § 1915. (ECF No. 4.) In the motion, Plaintiff reported that he “received a civil rights  
19 settlement which was signed over to his children in the amount of \$4,000.00.” (*Id.* at 1.) Based  
20 on Plaintiff’s statement, the Court found that the evidence of Plaintiff’s assets was inconclusive,  
21 and directed Plaintiff to clarify his financial condition and adequately demonstrate financial  
22 hardship. (ECF No. 5.) Specifically, the Court directed Plaintiff to state the total settlement  
23 amount, whether he has access to any of the settlement funds, and if so, why he is not using those  
24 funds to pay the filing fee for this action. (*Id.*)

On October 10, 2024, Plaintiff filed a response indicating that the full settlement amount was \$4,000.00, and it was immediately signed over to his brother in full, to be provided to Plaintiff's children. (ECF No. 6.) Plaintiff does not have access to any of the settlement funds because they have been spent. Plaintiff states that if he had known he would need them, he would

1 have saved some of the funds to immediately pay the filing fee for this action. (*Id.*)

2 Plaintiff has made the showing required by § 1915(a) and accordingly, the request to  
3 proceed *in forma pauperis* will be granted. Plaintiff is obligated to pay the statutory filing fee of  
4 \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments  
5 in the amount of twenty percent (20%) of the preceding month's income credited to Plaintiff's  
6 trust account. The Madera County Jail is required to send to the Clerk of the Court payments  
7 from Plaintiff's trust account each time the amount in the account exceeds \$10.00, until the  
8 statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. Plaintiff's application to proceed *in forma pauperis*, (ECF No. 4), is GRANTED;
- 11 2. **The Warden/Sheriff of the Madera County Jail or his or her designee shall collect**  
12 **payments from Plaintiff's prison trust account in an amount equal to twenty percent**  
13 **(20%) of the preceding month's income credited to the prisoner's trust account and**  
14 **shall forward those payments to the Clerk of the Court each time the amount in the**  
15 **account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of**  
16 **\$350.00 has been collected and forwarded to the Clerk of the Court. The payments**  
17 **shall be clearly identified by the name and number assigned to this action;**
- 18 3. The Clerk of the Court is directed to serve a copy of this order and a copy of Plaintiff's *in*  
19 *forma pauperis* application on the Warden/Sheriff of the Madera County Jail, via the  
20 United States Postal Service; and
- 21 4. The Clerk of the Court is directed to serve a copy of this order on the Financial  
22 Department, U.S. District Court, Eastern District of California.

23 IT IS SO ORDERED.  
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25 Dated: October 11, 2024

26 /s/ Barbara A. McAuliffe  
27 UNITED STATES MAGISTRATE JUDGE  
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